

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUAN CARLOS DIAZ,
Plaintiff,

v.

SAN DIEGO POLICE DEPARTMENT, et
al.,
Defendants.

Case No. [18-cv-05621-JCS](#)

**ORDER SEALING COMPLAINT AND
APPLICATION TO PROCEED IN
FORMA PAUPERIS**

**ORDER TO SHOW CAUSE WHY
APPLICAITON TO PROCEED IN
FORMA PAUPERIS SHOULD NOT BE
DENIED**

Plaintiff Juan Carlos Diaz, pro se, filed this action and applied to proceed in forma pauperis. Diaz's initiating document (dkt. 1, captioned in part as a "restraining order," but referenced in this order as his "complaint") and his application to proceed in forma pauperis (dkt. 2) both contain names of Diaz's two minor children T.L.D. and A.L.D., and his complaint also contains the birth dates of all of four of his children. Pursuant to Rule 5.2(a) of the Federal Rules of Civil Procedure, public court filings may not include the names of minors (children under the age of eighteen) or the full date of birth of any person. Instead, public filings may include only the initials of minors and the year of any date of birth. To protect the privacy of Diaz's children, the complaint and application to proceed in formal pauperis are hereby SEALED. To complete the public record, however, Diaz is ORDERED to file redacted versions of his complaint and application that comply with Rule 5.2 no later than October 9, 2018.

Diaz's application to proceed in forma pauperis states that Diaz earns \$5,000 per month for seasonal work, includes no monthly expenses, and lists \$2 in a checking account and \$8 in cash as Diaz's only assets. If Diaz in fact earns \$5,000 per month for at least some portion of the year, and in fact has no monthly expenses, he must provide some explanation of why he does not have

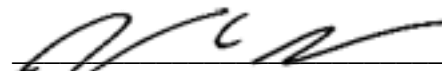
1 sufficient assets to pay the filing fee in this case. Diaz is therefore ORDERED TO SHOW
2 CAUSE why his application to proceed in forma pauperis should not be denied, by filing a
3 response to this order no later than October 9, 2018. Alternatively, Diaz may pay the filing fee.

4 If Diaz's application to proceed in forma pauperis is granted after he files a response, the
5 Court will separately review the sufficiency of his complaint under 28 U.S.C. § 1915(e)(2)(B),
6 including whether the complaint states a claim on which relief may be granted.

7 Diaz, who is not represented by counsel, is encouraged to consult with the Federal Pro
8 Bono Project's Legal Help Center in either of the Oakland or San Francisco federal courthouses
9 for assistance. The San Francisco Legal Help Center office is located in Room 2796 on the 15th
10 floor at 450 Golden Gate Avenue, San Francisco, CA 94102. The Oakland office is located in
11 Room 470-S on the 4th floor at 1301 Clay Street, Oakland, CA 94612. Appointments can be
12 made by calling (415) 782-8982 or signing up in the appointment book located outside either
13 office, and telephone appointments are available. Lawyers at the Legal Help Center can provide
14 basic assistance to parties representing themselves but cannot provide legal representation.

15 **IT IS SO ORDERED.**

16 Dated: September 17, 2018

17 
18 JOSEPH C. SPERO
Chief Magistrate Judge